

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BEAGLE, BURKE & ASSOCIATES,
Guardian of the Estate of Ryan Cuthbert,

No. C06-5135-FDB

Plaintiff,

V.

US BANCORP, (a/k/a US Bank), a financial institution doing business in the State of Washington and as successor-in-interest of NORTHWEST NATIONAL BANK (a/k/a NW National Bank), a financial institution that did business in the State of Washington,

STIPULATION AND AGREED
ORDER DISMISSING THIRD-PARTY
CLAIMS

Defendant and Third-Party Plaintiff,

V.

RONALD J. CUTHBERT AND
DEBORAH R. CUTHBERT, husband and
wife,

Third-Party Defendants.

IT IS STIPULATED by and between the Defendant and Third-Party Plaintiff, US Bank, and Third-Party Defendants, Ronald J. Cuthbert and Deborah R. Cuthbert, that the third-party claims shall be dismissed without prejudice and without an award of fees and costs to either party.

STIPULATION AND ORDER DISMISSING
THIRD-PARTY CLAIMS - 1

DATED this 6th day of November, 2006.

PRESTON GATES & ELLIS LLP

By /s/ Kimberly W. Osenbaugh
Kimberly W. Osenbaugh, WSBA # 5307
Attorneys for Defendant and Third-Party
Plaintiff US Bank

/s/ Ronald J. Cuthbert
Ronald J. Cuthbert, *pro se*
Third-Party Defendant

/s/ Deborah R. Cuthbert
Deborah R. Cuthbert, *pro se*
Third-Party Defendant

ORDER

THIS MATTER having come before the Court pursuant to the Stipulation of the parties, it appearing that entry of this Order concludes the above-captioned lawsuit in its entirety because Plaintiff's claims against Defendant U.S. Bank were dismissed by stipulated order entered on October 18, 2006; NOW, THEREFORE, IT IS HEREBY

ORDERED that the third-party claims against Ronald J. Cuthbert and Deborah R. Cuthbert shall be and hereby are dismissed without prejudice and without an award of fees and costs to either party.

DATED this 6th day of November 2006.



John H. Hargrove

FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

STIPULATION AND ORDER DISMISSING
THIRD-PARTY CLAIMS - 2

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Presented by:
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7 PRESTON GATES & ELLIS LLP
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11 By /s/ Kimberly W. Osenbaugh
12 Kimberly W. Osenbaugh, WSBA # 5307
13 Attorneys for Defendant and Third-Party
14 Plaintiff US Bank
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STIPULATION AND ORDER DISMISSING
THIRD-PARTY CLAIMS - 3

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